

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 28TH DAY OF FEBRUARY, 1979 AT 4:00 P. M.

The call of the roll disclosed the presence or absence
of Directors as follows:

<u>PRESENT</u>	<u>ABSENT</u>
Wayne E. Newton	Preston Geren
J. Oliver Shannon	
C. Victor Thornton	

Also present were Messrs. Joe B. Hogsett, Honorary Chairman of the Board of Directors; John M. Scott and William Brown, General Counsel for the District; James L. Strawn, Manager of Planning and Development for the District and Ben Hickey, General Manager of the District.

Director Newton acted in his capacity as President, and Director Shannon acted in his capacity as Secretary, whereupon proceedings were had and done as follows:

1.

On motion duly made and seconded, and with assurance from management that all requirements of law relating to the "open meeting" law had been met, the minutes of the meeting held February 28, 1979 were read and approved by the Directors and it was accordingly ordered that such minutes be placed in the permanent files of the District.

2.

Director Thornton moved and the motion was seconded by Director Shannon and unanimously approved that the following list of vouchers be approved and paid: Voucher-checks #22111 thru #22239 inclusive, Maintenance Fund, in the amount of \$336,277.77; voucher-checks #6858 thru #6915 inclusive, Revenue Fund, in the amount of

\$392,963.75; voucher-checks #4293 thru #4304 inclusive, Cedar Creek Project-Construction Fund, in the amount of \$148,241.38; voucher-checks #630 thru #632 inclusive, Interest and Sinking Fund, in the amount of \$177,399.97 and voucher-checks #3574 and #3575, Construction Fund, in the amount of \$47,500.00.

3.

President Newton called upon Mr. James Strawn, Development Manager for the District, to review the status to date of the "Richland Project", an additional source of raw water for Fort Worth and Tarrant County; whereon Mr. Strawn presented various charts, maps and engineering data to show the urgency of beginning a source of additional water and to now initiate the plan as heretofore developed and recommended by the engineers for the District - Richland/Tehuacana Project - at the earliest possible date.

Following a lengthy and detailed discussion of the many factors required to be resolved in a project of such magnitude, Director Thornton moved seconded by Director Shannon and unanimously approved, that the General Manager of the District be now authorized to proceed at once in an orderly and expedient manner, working with the Engineers and General Counsel of the District, to do all things necessary in proceeding, as outlined in the Report furnished by the consulting engineers for the over all Richland/Tehuacana Project and as recommended by Bond Counsel for the District for all things necessary for the District to call for an election in Tarrant County Water Control and Improvement District Number One on June 30, 1979, on the questions of the Issuance of Bonds, including refunding bonds,

by the District, payable from ad valorem taxes and/or revenue, the assumption of the District's outstanding bonds payable from ad valorem taxes and/or revenue, and the levy of maintenance tax in the District.

4.

President Newton stated that as authorized by the law governing Open Meetings of Governmental Bodies he would now declare this portion of the meeting closed for executive session.

Following the executive session, President Newton declared the meeting now open and reported that items discussed were as follows: (a) land acquisition and considerations; (b) postpone selection of a Director to succeed Clyde A. Penry, deceased; (c) instruct General Counsel of the District to prepare a Resolution in recognition of Clyde A. Penry's devotion and dedication as a Director of the District.

5.

The following letter was presented to the Directors for their consideration, to wit:

Mr. Ben Hickey
Tarrant County Water Control and
Improvement District Number One
P. O. Box 4508
Fort Worth, Texas 76106

February 20, 1979

RE: Richland/Tehuacana Reservoir

Dear Mr. Hickey:

The Texas Water Rights Commission has previously granted two extensions to the Richland permit and indicated the last time the matter came up that they would be very reluctant to grant a third extension unless the District made some positive steps toward the construction of the project. The permit comes up for review and extension the latter part of this year, and we are of the opinion that it will be most important to have done something by that time.

One way to get the project moving and show some positive interest is to commence a program of purchasing land required for the reservoir. The District has funds for this purpose and could initiate proceedings to acquire one or more tracts. These land purchases, along with the soils and foundation studies and the updating of the engineering report, will probably give the District the necessary support needed to obtain the third extension. At the very least it will show that the District is committing available funds toward the orderly development of the project.

It is our recommendation that the District commence acquiring land for the Richland-Tehuacana project at an early date as the funds are available.

Very truly yours,

FREESE AND NICHOLS, INC.

/s/ James R. Nichols

James R. Nichols, P.E.

Following a detailed review by the management of the District regarding land acquisition policy of the District, and with recommendation of management, Director Shannon moved, seconded by Director Thornton and unanimously approved, proceed with negotiation for the purchase by the District of two (2) tracts of land that will be required for the Richland Project and present an executed proposed contract of sale for consideration of the Directors at the earliest possible time; and further that General Counsel of the District engage the services of Counsel and Title service for the Richland/Tehuacana Project for the land acquisition program.

6.

General Counsel of the District reviewed that the District had heretofore authorized management of the District to cooperate and work with the "streams and Valleys Committee" representing the City of Fort Worth, towards beautification and improvements to the

Trinity River within the City; and presented a letter of agreement (prepared by General Counsel) in answer to a request from the Streams and Valleys Committee, to wit:

The City of Fort Worth
City Hall
Fort Worth, Texas 76102

Attention: Mr. James R. Toal, Assistant Director
Park & Recreation Department

Dear Mr. Toal:

I received your letter of February 23rd relating to the construction of the Clear Fork Retention Dam (near Bellaire Drive) and the maintenance responsibility of the proposed three retention dams.

The Tarrant County Water Control and Improvement District Number One, is agreeable to acting as an independent contractor for the City of Fort Worth as owner in the construction of the Clear Fork Retention Dam (near Bellaire Drive), with all materials to be furnished by the City of Fort Worth through its agency, the Streams and Valley Committee, and the Heritage Conservation and Recreation Service, aggregating as we understand it the sum of \$120,000.00.

The Tarrant County Water Control and Improvement District Number One is under a continuing contract with the Corps of Engineers of the United States Government for the maintenance of the Trinity Floodway Channel, within which channel the dams will be situated. While the dams will belong to the City of Fort Worth, as parts of the river channel itself, our maintenance work for the Corps will include mowing the banks of the river in the area of the dams, routine debris removal, and silt removal when in our judgment such removal is advisable in the maintenance of the floodway channel. It will not include any responsibility for safety devices or warnings, since we do not assert police power over the area.

In the future, however, if any significant repair work or improvement work is necessary for the dams that will be the responsibility of the City of Fort Worth.

The City of Fort Worth will not be indebted to the District for the maintenance work which will be performed under our contract with the Corps of Engineers, nor will it be indebted to the District for the construction cost of the dams beyond the funding of an aggregate of \$120,000.00 mentioned in your letter of February 23rd.

Yours very truly,

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE

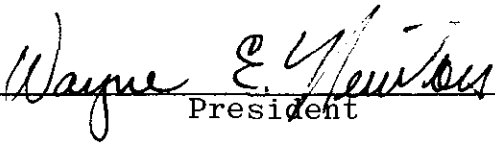
By /s/ Ben Hickey, General Manager

After discussion and with recommendation of management of the District it was the unanimous decision of the Directors and their order that the agreement be accepted.

7.

There being no further business before the Board of Directors, the meeting adjourned.


Secretary


President